

1 information in the event of a catastrophic
2 earthquake. We modeled it after a radio station
3 WWL, what they did after Hurricane Katrina.

4 We recognized that the Puget Sound
5 region is diverse, and we believe it is
6 imperative that our radio station reflects the
7 community we serve. And to the end, we do strive
8 to make our news coverage accurate and balanced.
9 Our reporters go into various neighborhoods and
10 tell stories that are important to those
11 particular communities. And our programming
12 content also appeals to listeners with a wide
13 range of interests from political and financial,
14 food, gardening shows. We have it all. And
15 during much of our programming we open our phone
16 lines and invite our listeners to share their
17 views.

18 But it's not only important for us to
19 reflect the community with our programming, Kiro
20 and Bonneville are devoted to being a big part of
21 the community. Every year we raise money to
22 fight hunger, purchase gifts for thousands of

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1 local foster children, and our employees donate
2 much -- many, many hours to help charities
3 throughout Western Washington.

4 I do want you to know that Kiro and
5 Bonneville are honored --

6 MODERATOR SIGALOS: Thank you.

7 MS. REUTIN: -- that we've been part
8 of this community.

9 Thank you.

10 (Applause.)

11 MODERATOR SIGALOS: Thank you.

12 Julie Fretzin.

13 MS. FRETZIN: Good evening. I'm Julie
14 Fretzin. I work for Writer Child Center, an
15 organization that provides care and treatment for
16 children who are victims of abuse and neglect.
17 My job is to build public awareness of issues
18 related to child welfare.

19 I'm frustrated by the scarcity of the
20 media receptive to giving time and space to
21 concerns like ours. The existing media landscape
22 provides few outlets for thoughtful solution-

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1 orientation discourse.

2 I had an experience not long ago that
3 brought home to me how the mainstream media
4 operates. When another child welfare agency in
5 our area was receiving a lot of media attention
6 about some problems it was having, I met with
7 public relations workers from other agencies
8 serving children to question representatives of
9 the media about how we could effectively
10 publicize the positive results of our programs.

11 What can we do we asked to get
12 coverage on the way our work is changing
13 children's lives for the better. Essentially, we
14 were told there's nothing you can do. If you're
15 doing your job, we have nothing to report. We
16 don't have a story unless something has gone
17 wrong.

18 This statement reflects the reporting
19 principle that says, If it bleeds, it leads. A
20 practice demonstrated to us every day on TV
21 screens and in newspaper headlines.

22 Recently our agency did have the

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1 opportunity to tell our story thoughtfully and in
2 depth on Seattle's public access channel. This
3 is the kind of reporting not provided by
4 mainstream media. That's why I believe we need
5 more, not fewer, alternative media outlets.

6 MODERATOR SIGALOS: Thank you.

7 (Applause.)

8 MODERATOR SIGALOS: Kristina Williams.
9 Kristina Williams. (Pause.) Sorry about that.
10 Chris Benson.

11 MR. BENSON: I am Chris Benson,
12 president of the National Disability Broadcasters
13 and also a volunteer at Radio Free Moscow where
14 every word as it comes should be broadcast live
15 right now in Moscow, Idaho.

16 (Applause.)

17 MR. BENSON: Lee kind of stole my
18 thunder because I wanted to talk about
19 translators also. I was looking at our radio and
20 I saw folks and I in Oregon they had one station
21 and it said 42 translators, 42 cities that had
22 frequency taking up that should be used for the

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1 public having an amplifier thousands of miles
2 away that they probably don't even know where it
3 is. Just what difference does it make what audio
4 you put in the transmitter? Why aren't we the
5 same? Why aren't LPFM and translators exactly
6 the same? What's the difference? They both
7 broadcast now. On the last translator they had
8 10 watts. They 20 watts. They had 250 watts, and
9 456 watts. We're limited to 100 watts. Why?
10 Why? What difference can there be? What
11 difference can there be when we plug into the
12 transmitter? Why is it any difference? I want -
13 - It's not logical. Why can't you treat LPFM the
14 same as you do translator when translators --

15 MODERATOR SIGALOS: Thank you.

16 MR. BENSON: -- should have a mandate
17 also like LPFM.

18 (Applause.)

19 MODERATOR SIGALOS: Thank you.

20 Before I announce the next speaker,
21 I'd request that our panelists come forward to
22 the first table. We're going to begin with the

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1 panel at eight o'clock as scheduled, so if they
2 would please come out at this point.

3 Jeff Abrams.

4 MR. ABRAMS: Chris, you're right.
5 This is illogical. I drove over here from Boise
6 this morning. My name is Jeff Abrams. I'm from
7 Boise Community Radio Project.

8 Boise is the biggest area in the
9 country without community radio. We have a half
10 million people in our town without access to
11 locally programmed, community based radio. We
12 formed an organization. We decided that
13 something needed to change, and we applied during
14 this latest window that the FCC finally opened.

15 Five and a half years is how long
16 we've been waiting. There are organizations that
17 waited over seven years to have access to their
18 public airways. So I hope that whatever I say
19 going forward doesn't get used against me in that
20 determination process.

21 This whole thing seems crazy to me.
22 Back in '03 it seems like the FCC got a real

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1 clear impression of what the public wanted and
2 now we're back here.

3 (Applause.)

4 MR. ABRAMS: Yeah. And so I'm really
5 wondering -- The two words I can ascribe to that
6 is audacity and hubris. Where is the sense?
7 Where is the ear to the public? I don't see it.
8 I see it from a couple Commissioners who have
9 been really great and really supportive, and they
10 are champions for democracy. These two are
11 champions for democracy.

12 (Applause.)

13 MR. ABRAMS: So anyway, I see some
14 really great ideas going forward. You guys cap
15 the applications at ten per organization, so to
16 me the thinking there is, well, let's not let one
17 organization dominate the voices here. Why can
18 you not extend that to the commercial band as
19 well as the cap?

20 So my other last point is where is the
21 Alkai? What is driving this time table?

22 Commissioner Martin, I've got a button

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1 here.

2 MODERATOR SIGALOS: Thank you.

3 MR. ABRAMS: It says, "What the FCC?"

4 (Applause.)

5 MODERATOR SIGALOS: Thank you very
6 much.

7 As we move to our second panel
8 discussion, I'd like once again to review the
9 ground rules. Panelists, each of you will have
10 five minutes to make your remarks. I want you to
11 know I will be strictly enforcing the time limit.

12 Members of the audience, once again,
13 we appreciate you listening respectfully to the
14 panelists even if you disagree with the views
15 that they express.

16 Participating in this panel are:
17 David "Davey D" Cook, Radio Show Host, KPFA; Abby
18 Dylan, National Board Member, Screen Actors Guild
19 Seattle; Bruce Fife, President, American
20 Federation of Musicians, Local 99; and Joseph
21 Orozco, Station Manager KIDE 91.3 FM.

22 Mr. Cook.

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1 (Applause.)

2 MR. COOK: First of all, thank you
3 very much for having me up here. And to the
4 people of Seattle, I apologize for being from the
5 Bay area but having to come up to Seattle to
6 curate this meeting, but we didn't have a hearing
7 in the Bay area where just as many people would
8 have come out to express the same sentiments that
9 many of you all have expressed in this room.

10 Second thing, I have convinced my
11 former boss -- I was an 11 year employee at Clear
12 Channel. She was the program director. She was
13 supposed to be here tonight to give you the real
14 deal from a programmer's prospective, somebody
15 who was in charge to tell you why she was against
16 consolidation. But because of the last minute
17 notice that we got, we couldn't get a cheap
18 airfare. So I paid \$400 out of my pocket to be
19 here. She would have had to pay seven or eight
20 coming from Los Angeles. So boo on that last-
21 minute trick that they did.

22 (Applause.)

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1 MR. COOK: Lastly, I'm very familiar
2 with the artist community up here, and big shout
3 out to the 206 Zulu people that I met.

4 (Applause.)

5 MR. COOK: -- G Prezes Artist Union.
6 Many of them would be here speaking out, but it's
7 a Friday night, and most artists, DJs, and band
8 members that I know this is gig night for them
9 and because of the last minute notice they
10 couldn't cancel gigs so many aren't here, but
11 would be expressing the same sentiments.

12 Moving on to just understanding how
13 this consolidation has affected people. I can
14 tell you firsthand from being up here and being
15 down in the Bay that a lot of local artist
16 wherever I go it's the same complaint very little
17 access and the more that these things have become
18 consolidated, the less that it's gotten.

19 In the Bay area you've got a station
20 like Clear Channel that owns eight stations in
21 the market, all the urban stations, they do funny
22 things. Like, for example, when we have

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1 competition, when we had that diversity, when a
2 new station came on the market and said we will
3 play the local artists and fill that void, Clear
4 Channel promptly got up and wrote letters, which
5 are on record, to all the major and minor labels
6 and said, If any of your artists show up on this
7 competing radio station, they will not get
8 airplay on the other 1200 stations that we own.

9 (Booing).

10 MR. COOK: Hold on a second.

11 The local artists were put on notice
12 that if they showed up or even as much as gave a
13 station ID, they would not get any airplay as
14 well.

15 Now, finally, that same Clear Channel
16 station had one of my former bosses, who never
17 owned a radio station, suddenly get a 45 million
18 dollar loan and bought the competing station out.
19 He promptly changed the format, and we don't have
20 local artists on the air to this day anymore.

21 This is consolidation at its best. We
22 have a guy, a very popular artist named Mr. Fab,

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1 F-a-b, signed to Atlantic Records, very popular,
2 so popular that our mayor in Oakland sought him
3 out to get an endorsement and wanted him to sit
4 on his panel to help out the youth.

5 This gentleman decided that he would
6 get a radio show on a Clear Channel owned station
7 in the market and just talk to the people, not
8 even play music. Well, the competing station --
9 Well, the sister station in that market where his
10 music would be the -- you know the natural fit
11 refused to play his records because he was on the
12 sister station.

13 So he promptly said, Well, I'm an
14 artist first. Let me take myself off this
15 station. I won't talk to the youth. I won't
16 give them this wisdom that I have. And he still
17 can't get any airplay. In fact, they won't even
18 let him buy commercials on the radio station
19 because he pissed off the management at the
20 station who felt like he shouldn't have been on
21 their own station.

22 This is the type of bullying that goes

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1 on. You have artists all around the country that
2 I know that can't get airplay, whether they're in
3 Chicago, New York, or Los Angeles, you name it;
4 yet these same artists can sell out shows in
5 venues owned by some of these radio stations. It
6 happens in Seattle. It happens in the Bay area.
7 It happens all around.

8 So the point that I'm just getting at
9 is that there is a need to totally make sure that
10 this consolidation thing does not go through.

11 When I first started out in radio, we
12 played local artists because our management at
13 that time, before it become corporate owned, had
14 the vision to say play local groups is community
15 outreach.

16 Now that's all gone out the window,
17 and all you have is the same ten song playlist
18 whether you're in New York, Oklahoma, Texas,
19 Seattle. You turn it on. All ya all will hear
20 the same Soulja Boy record. You'll here the same
21 50 Cent record. You'll hear the same Kanye West
22 record.

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1 News, views, and information won't be
2 disseminated. We didn't have discussion in our
3 market about Gena 6 even though 60,000 people
4 showed up. We recently had a mayoral election in
5 San Fransisco. None of the Clear Channel
6 stations in our market even announced that there
7 was an election and encouraged people to go vote.

8 This is the diversity that these --
9 some of these people who are in charge of the
10 media are saying exists; therefore, we should
11 allow for consolidation. I say to hell with
12 that.

13 Thank you very much.

14 (Applause.)

15 MODERATOR SIGALOS: Ms. Dylan.

16 MS. DYLAN: Hi. Chairman Martin and
17 Commissioners, good evening and thank you for
18 coming up here and talking about this really
19 important discussion. I am here today on behalf
20 of the Screen Actors Guild, representing over
21 120,000 actors nationwide who work in motion
22 pictures, commercials, television programs and

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1 new media platforms. We are a proud affiliate of
2 the AFL-CIO. And I'm really --

3 (Applause.)

4 MS. DYLAN: I've very happy to follow
5 David because he's talking about independent
6 creativity.

7 I am on the National Board of
8 Directors of Screen Actors Guild. I'm an actor
9 and I live and work in Seattle. Some of my
10 fellow SAG members have testified before the
11 Commission in Los Angeles, Nashville and Tampa on
12 the importance of independently produced content
13 in primetime television.

14 Screen Actors Guild recently filed
15 comments with the Commission, along with a broad
16 range of other entertainment unions, including
17 AFTRA, PGA, and The Caucus of Producers, Writers
18 & Directors.

19 My testimony today focuses on vertical
20 concentration in the television and motion
21 picture industry, and the fact that the
22 overwhelming majority of the shows Americans see

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1 on Broadcast television are not created by
2 independent producers with a variety of
3 viewpoints, but by the networks.

4 The sellers are the buyers, and we
5 believe this is created a lack of diverse,
6 innovative programming in our airwaves. Some of
7 the best television of all time was created by
8 independent producers. Norman Lear brought us
9 new and interesting television with characters
10 and plots that were provocative and popular.
11 There are hundreds of examples of the
12 contributions of independently created
13 programming, but those days are gone.

14 In 1993 more than two-thirds of the
15 shows of broadcast primetime television were
16 created by truly independent producers.
17 According to the FCC's own study released this
18 August, this total for the 2007 season is only 12
19 percent. The number of independent producers not
20 affiliated with one of the four major networks
21 that provide shows on broadcast networks has
22 declined from 23 in 1993 to two today -- Sony and

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1 Warner Bros. We believe this compels corrective
2 regulatory action by the Commission.

3 The unparalleled consolidation of
4 broadcast networks, including there corporate
5 sibling cable networks and movie studios has
6 given them unfettered control over the primetime
7 airwaves, which they utilize to exploit their
8 marketing power by either excluding rival
9 programming or by forcing independent producers
10 to forego syndication revenues in exchange for
11 carriage.

12 This vertically integrated dominance
13 over both content and distribution has resulted
14 in a disturbing contraction in the diversity of
15 viewpoints to which the public is exposed via
16 primetime broadcast television programming.

17 The networks have demonstrated that if
18 left unchecked, they will concentrate more and
19 more programming power in fewer and fewer hands;
20 thereby decreasing the diversity of opinions and
21 points of view available to the U.S. viewers of
22 over-the-air broadcasting.

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1 As members of the creative community
2 who make our livings in this industry we are
3 being damaged by the decrease in the sources of
4 programming content and the diversity of
5 employment opportunities. Key threads in
6 America's cultural fabric are also being damaged.

7 You, as Commissioners of the FCC, are
8 charged with a mandate to increase diversity and
9 maintain a free marketplace of ideas. The
10 networks have demonstrated that they will do
11 neither if left to their own devices.

12 (Applause.)

13 MS. DYLAN: We ask the Commission
14 adopt our 25 percent independent programming
15 minimum for primetime network programming hours.
16 We believe that by doing so the FCC will once
17 again be fulfilling its mandates to the American
18 people to ensure diversity in voices on our
19 nation's broadcast airwaves.

20 On behalf of Screen Actors Guild, I
21 thank you for the opportunity to speak to you
22 today and thank you for coming to Seattle.

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1 MODERATOR SIGALOS: Thank you, Ms.
2 Dylan.

3 Mr. Fife.

4 MR. FIFE: Chairman, Commissioners,
5 citizens, for us this is about radio and the
6 simple question is, is radio programming more
7 accessible, more diverse, of higher quality now
8 than before the last round of consolidation. The
9 obvious answer, unless you don't own a radio, is
10 a resounding no.

11 Why would it be any different this
12 time? Even a cursory look at the incredibly
13 negative consequences of the vertical integration
14 and control companies like Clear Channel have
15 gained at the expense of quality local
16 programming speaks volumes.

17 In Portland, we decided to take a
18 closer look at radio. We got volunteers to
19 listen to and document a broad mix of local
20 commercial stations. We visited them, went
21 through the public files, talked to programmers
22 and managers, and came back with pretty clear

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1 evidence of problems with the state of Portland
2 radio.

3 Clearly what was absent was a
4 connection to the community and to the local
5 musicians. Out of all the commercial stations in
6 Portland, only two were giving any airplay to
7 local artists, and it was minimal at best. This
8 in a region with one of the most vibrant music
9 scenes in the U.S., home to a plethora of
10 emerging artists and indie bands. Our citizens
11 have been deprived of the pleasure of hearing
12 their own homegrown artists on local radio.

13 We filed an informal objection for FCC
14 license renewal against three of our local
15 stations. None of them were playing local music.
16 Two had no DJs, no weather, no traffic, nothing
17 tying them to the local community.

18 With consolidated ownership already at
19 detrimental levels, radio execs in distant cities
20 are thumbing their noses at the concept of
21 serving the public interest.

22 I forgot they did have public affairs

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1 programming that aired on Sunday morning at 6
2 a.m. And in those instances, the same programming
3 aired on all five of the stations owned by that
4 conglomerate. Obviously, a cost benefit to them,
5 but a symbolic slap in the face to fulfilling
6 their public obligations.

7 While there are numerous other
8 violations in our opinion, one of the letters in
9 particular jumped out at me. Virtually every
10 complaint letter in the public file had been
11 answered except the letter from a local band
12 asking what was the procedure for garnering
13 airplay. No response. And when I talked to the
14 band later, they confirmed that their request was
15 ignored, no consideration. This is not an
16 isolated incident. I hear it over and over from
17 musicians with high quality recordings, bands
18 that are touring and performing locally,
19 nationally, and internationally.

20 Let's talk about payola. It's
21 illegal, it's wrong, and it's enabled by
22 consolidation. Recall it was the large

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1 conglomerates that were recently busted. And
2 even though they agreed as part of the settlement
3 to provide airtime for independent artists, they
4 seem to have backed out of that agreement. Even
5 worse, look at the attempt by Clear Channel to
6 strip these artists of their royalties in
7 exchange for this airplay.

8 There was a time when local stations
9 rallied behind local artists, celebrated when
10 their participation and support moved these
11 artists to the next level of success. No more.
12 There is a pattern here, and it's a direct result
13 of an arrogant and disengaged media power
14 structure.

15 (Applause.)

16 MR. FIFE: Particularly disheartening
17 though are conversations with people inside the
18 stations. DJs with not input on programming.
19 Newscasters questioning their future employment
20 because their departments are being gutted.
21 Programming directors making their music choices
22 based strictly on so-called "research." I had to

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1 ask one program director whether he actually
2 listened to anything before making his program
3 choices. He evaded the question. And station
4 managers that believe they are providing localism
5 when one of the six stations they own has any
6 local content.

7 Frankly, consolidation will kill
8 radio. It's the lack of quality program that has
9 been the outgrowth of consolidation that is
10 driving people away from terrestrial radio to
11 their iPods, webcasting and satellite radio.

12 One of my challenges when we were
13 researching the stations was just getting people
14 to listen. I can't tell you how many times I
15 heard something like "I'd love to help, but I
16 never listen to radio anymore because it sucks."

17 (Applause.)

18 MR. FIFE: Of course, much of the
19 debate here is about economics. There is only
20 one winner under consolidation, and it's not the
21 workers. Don't forget that every band out there
22 is a small independent business, and they are all

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1 always fighting for survival. Radio for them is
2 still the best outlet for a band to break out, so
3 if they are to grow their businesses, they must
4 have access.

5 Finally, let me come full circle here.
6 The NAD claims that there are twice as many radio
7 stations now as compared to 30 years ago. That
8 should mean there would be more access and better
9 programming, but the opposite is true.

10 Time and again the people have told
11 you that they don't believe they are being well
12 served by this government's communication policy.

13 MODERATOR SIGALOS: Thank you.

14 MR. FIFE: It's time for you to listen
15 to the millions of voices, the people that --

16 MODERATOR SIGALOS: Thank you very
17 much.

18 MR. FIFE: -- you're supposed to serve
19 and not the broadcast lobbyists. Give us our
20 airwaves back.

21 (Applause.)

22 MODERATOR SIGALOS: Mr. Orozco.

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1 MR. OROZCO: My name is Joseph orozco.
2 I am a member of the Hoopa Valley Tribe of
3 California and the station manager of KIDE-FM,
4 currently the only Native owned and operated non-
5 commercial radio station in California.

6 (Applause.)

7 MR. OROZCO: We are proud to be the
8 first solar powered radio station in California.
9 I appreciate the opportunity to speak on this
10 panel as it meets my need for understanding. In
11 our language our call letters KIDE is pronounced
12 Ka-day, which describes an antler when it's made
13 into a tool. Like the other 32 Native owned non-
14 commercial radio stations in the U.S. we are a
15 community building tool.

16 I believe all Native stations began
17 the purpose of being a language and culture
18 restoration tool. We serve our communities in
19 times of harsh weather and natural emergencies.
20 We are the communication hub everyone relies
21 upon. We encourage our people to maintain
22 healthy lifestyles. We share the knowledge to

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